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Sent: Fri 3/25/2016 4:45:22 PM
Subject: FW: FYI: Environmentalists ask EPA to reexamine permitting of oil wastewater injections (Bakersfield Californian)

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Sent: Friday, March 25, 2016 9:10 AM
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Subject: FYI: Environmentalists ask EPA to reexamine permitting of oil wastewater injections (Bakersfield Californian)

Environmentalists ask EPA to reexamine permitting of oil wastewater injections

BY JOHN COX jcox@bakersfield.com

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A coalition of environmental groups has renewed pressure on a vital Kern County oil field practice by asking the U.S. Environmental Protection Agency this week to halt or change its process for exempting aquifers from Safe Drinking Water Act protections.

If successful, the petition filed Wednesday by the Natural Resources Defense Council, Clean Water Action and other organizations could place more areas off-limits to oil field waste injections and a kind of well stimulation technique called cyclic steaming, both of which are common locally.

Washington, D.C.-based nonprofit Clean Water Action says the EPA has been too lenient, potentially allowing oil companies to contaminate groundwater that could one day serve as drinking water. It argues the agency's aquifer exemption process, developed in the early 1980s, needs to be updated to reflect improved water purification and drilling technology, as well as current drought conditions in the West.

"In light of elevated concern about drinking water, the public has a right to expect that sacrificing any potential drinking water source would be subject to the highest level of scrutiny," CWA's national oil and

gas campaigns coordinator, John Noël, said in a news release. “Yet the aquifer exemption program has prioritized fossil fuel production. EPA needs to put drinking water first.”

The EPA has issued some 4,600 aquifer exemptions, 1,100 of them in California. This week’s petition said 96 percent of those issued were for the disposal of produced water, the salty fluid that comes up from the ground with oil and gas.

The petition, in addition to asking the federal government to repeal or amend its exemption process, seeks an immediate moratorium on any new or expanded exemptions, as well as a full review of existing exemptions to determine whether the associated aquifers contain water that could be used for drinking.

Such a moratorium would have a big impact in California, especially Kern. State oil regulators say they expect to receive applications for 56 new aquifer exemptions after having ordered the closure of 54 wastewater injection wells, almost of them in Kern County, since mid-2014. Some of the wells were not in operation.

In no case was there a determination injection work contaminated drinking water.

The injection well closures were accompanied by a well-publicized admission by California’s then-top oil regulator that the state had erred in permitting injection wells in aquifers never properly exempted from the Safe Drinking Water Act.

ANTI-OIL ACTIVISTS’ ‘TRUE MOTIVES’

California’s oil industry sees the proposed exemption process changes as unnecessary. It notes the wastewater is typically reinjected into the same underground formation where it originated, and that any such water is undrinkable by virtue of its having been naturally commingled with oil.

Rock Zierman, CEO of the California Independent Petroleum Association trade group, said wastewater injections are also the most environmentally favorable way of disposing of produced water.

“Without reinjecting produced water, California oil production would halt, making our state significantly more reliant on foreign imports from countries that don’t have the extensive environmental regulations in place for oil production that we do,” Zierman said by email.

“This paradox unlocks the true motives of anti-oil activists who believe the only responsible oil production is no oil production,” he added.

Andrew Grinberg, national campaigns special projects manager at Clean Water Action, agreed injecting oil wastewater is better than a leading alternative of dumping it into an unlined pit. But he said the EPA needs to be more careful where it allows such injections.

The idea that any oil-containing aquifer should be exempt is “problematic,” Grinberg said, because not all the formation may have been affected. He said careful scrutiny is needed to determine whether an aquifer contained impure water to start with or was tainted by injection work.

While it is unlikely the agency will overturn all existing exemptions, Grinberg said, the groups petitioning the EPA hope some protections may be restored in areas not yet polluted, adding, “there might be time to save them.”

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